

**Public Outreach Plan
Proposal
March 2006
Public Outreach Subgroup
Risk-Based Remediation Rule Workgroup**

Introduction

From October to December 2005, the Public Outreach Subgroup of the Risk-Based Remediation Rule Workgroup met to create a public outreach plan to facilitate the adoption of risk-based decision-making in Missouri. The plan is keyed to the adoption of the Departmental Missouri Risk-Based Corrective Action (MRBCA) Technical Guidance published by the Missouri Department of Natural Resources (MDNR).

The Subgroup developed a four-pronged plan to be kicked off by a “media event.” To create statewide awareness of the use of Missouri’s new risk-based process, we propose that MDNR Director Doyle Childers visit several sites around the state and announce the availability and benefits of the use of MRBCA. Following these kick-off announcements, additional plan elements would be immediately put into place to help train and publicize the MRBCA process. These include a speaker’s bureau, mailings, training, and seminars. The department’s MRBCA website would be maintained and referenced in promotional materials.

Although the Department of Natural Resources would take the organizational lead in implementing parts of this plan, a key concept of this public outreach plan is to employ stakeholder involvement in many of the activities and take advantage of their energy, knowledge, self-interest and connections to implement a speaker’s bureau and seminars. Stakeholders contributed significantly to development of this plan and accompanying materials.

The Public Outreach Subgroup consisted of Kevin Perry, Forrester Group; Diane Maijer, Riverfront Environmental; and Linda Vogt, Missouri Department of Natural Resources.

History of Missouri Risk-Based Corrective Action in Missouri

In 1995, the General Assembly passed H.B. 251, which directed the Clean Water Commission (CWC) to use risk-based corrective standards to remediate underground storage tank sites. In 1999, the General Assembly passed S.B. 334, which directed the CWC to develop a process to determine if risk-based remediation of groundwater was appropriate for any particular site. Although separate actions, both directives aimed to facilitate risk-based remediation decisions within the Missouri DNR. Later, S.B. 901 (signed in 2004) gave regulatory authority for tanks, including authority for risk-based remediation rules, to the Hazardous Waste Management Commission.

In addition, Cleanup Levels for Missouri (CALM) Guidance has been used by MDNR’s Hazardous Waste Program (HWP) for voluntary cleanup of contaminated sites. CALM guidance established a risk-based procedure for site remediation.

In response to the legislative directives and widespread stakeholder interest, the department formed a workgroup, now called the Risk-Based Remediation Rule Workgroup (Workgroup). External stakeholders in this group represented 15 key sectors of Missouri's citizenry. Before finalizing a rule, the Workgroup decided to first develop a policy approach and technical guidance. The Hazardous Waste Program (HWP) coordinated this effort, with input from the Water Protection Program, Environmental Services Program, Division of Geology and Land Survey, Missouri Department of Health and Senior Services, the U.S. Environmental Protection Agency, and a private contractor, RAM Group, Inc. The MRBCA process will replace CALM, which was the guidance formerly used in the HWP's Voluntary Cleanup Program to clean up sites.

Objective

The objective of this outreach plan is to increase the awareness level of interested parties that the state of Missouri has developed a risk-based decision-making process that is intended to spur redevelopment of environmentally impaired properties. This effort will be a partnership between the Workgroup members and the Missouri Department of Natural Resources.

Kick-off Event

The Department of Natural Resources could plan several kick-off events to inform media and the state, which would involve the following activities:

- Identify sites that have either been cleaned up under MRBCA or risk-based decision-making similar to MRBCA or are examples of impaired sites that could be re-used.
- Identify sites in the six largest metropolitan areas in the state: St. Louis, Kansas City, Springfield, Joplin, Columbia, and St. Joseph.
- Create a media kit that consists of a newsletter article (Attachment 1, technical bulletin (attachment 2), and information about the speaker's bureau.
- Arrange for Director Childers to visit each site and make an announcement about MRBCA availability for use.
- Involve Director's Office media staff to notify press.
- Because of the cooperative nature of MRBCA development, involve stakeholders on the day of the event.

Speakers Bureau

Workgroup members who have been involved with MRBCA have committed a great deal of expertise and time to development of Missouri's risk-based process. They also are keyed into many groups and activities that would benefit from increased awareness of Missouri's process and in a perfect position to help get the word out. We propose that Workgroup members be contacted to be part of a MRBCA Speaker's Bureau to assist in outreach efforts.

Speakers are encouraged to take the lead and set up their own opportunities for speaking if they are active participants of organizations. All speakers will be provided with information as described below to assist them in getting the word out. MDNR can also

respond to miscellaneous requests for speakers by contacting and identifying Workgroup members who are available and interested in making a presentation.

Materials

List of speakers

Generic e-mail message for use by speakers and workgroup members to inform and increase awareness of their business associates (Attachment 3)

Generic Powerpoint presentation approved by MDNR (Attachment 4)

Newsletter Article (Attachment 1)

Technical Bulletin (Attachment 2)

4" x 8" mailer (to be developed)

Message considerations for speaking opportunities and seminars

- Provide the message that the process is ready for use, how the process works, and who can provide further information.
- Present a general message rather than the technical aspects of MRBCA
 - a. Provide examples of case studies and
 - b. Provide assurance that this process will work on a contaminated site.
- Use a variety of messages that are tailored to the receptor group. Tailor the generic Powerpoint presentation as appropriate. Examples are:
 - a. Banking conference: How to deliver a value that would make you more competitive in market place and
 - b. Environmental understanding for bankers: reason why you shouldn't run away from a deal that involves a MRBCA site.
- Identify problem that particular audience has and tailor MRBCA speech as a solution. Examples are:
 - a. How a site owner can flip properties and
 - b. How a site owner can develop property to its best and highest use using MRBCA.

MRBCA Training

MDNR will sponsor a two-day training session by RAM Group on the technical aspects of MRBCA Technical Guidance. It will be directed toward outside user groups such as consultants and remediating parties and presented at no cost to participants. However, because this training is size-limited, it will be first announced to Workgroup participants, who will be first in line for enrollment in the training. This session will also train some MDNR staff. In order to limit enrollment to a reasonable size, it would not be announced statewide.

Mailings

MDNR could create a 4" x 8" mailer insert to be placed inside standard departmental mailings to hazardous waste sites. (For example, the hazardous waste generators list, active Superfund sites, Registry sites, eligible RCRA sites, and Federal Facilities) The purpose of the mailer is to announce MRBCA's availability and purpose and where to get more information. MDNR Project Managers could identify potential sites in current or

proposed remediation activities to receive a letter from the department that explains MRBCA's availability and use in more detail.

Seminars

We propose that the private sector take the lead in developing seminars. Through the Workgroup members, organizations, consulting firms, and other appropriate groups could be notified of the opportunity to sponsor these seminars and training. MDNR's role would be to provide a presence as requested – e.g. panel moderators and participants.

Seminars can also be co-sponsored between the private sector and MDNR, as mutually beneficial and agreed to between the private sector and the department.

Audience:

The following is a list of potential organizations that could be contacted for such activities as a meeting with someone from the Speaker's Bureau, a presentation at a meeting using the generic Powerpoint presentation as a starting-off point, or insertion of the draft newsletter article into the organization's newsletter.

- Organization of Construction Consumers
- Association of Engineering Geologists (AEG)
- National Association of Environmental Managers (NAEM)
- Air and Waste Management Association (AWM)
- American Institute of Architects (AIA)
- American Association of Professional Engineers (ASPE)
- American Bar Association (ABA)
- Regional Commerce and Growth Association (RCGA)
- Urban Land Institute (ULI)
- American Society of Appraisers
- State Chamber of Commerce
- REGFORM
- Association of Industrial Manufacturers (AIM)
- American Chemical Council
- Environmental Organizations
- And so on...

The following is a list of professions that would benefit from knowledge of MRBCA. Workgroup members could be asked to identify other organizations related to these professions that were not included above.

- Geology
- Subsurface engineering
- Consultant firms doing Phase I work
- Remediating parties
- Developers
- Lenders/financiers/bankers
- Attorneys
- Real Estate Community, especially commercial realtors/brokers

Architectural Engineers
Industrial clients
Contractors
Schools
Nonprofit institutions
Universities
Public schools
Hospital administrators
Airport administrators

MDNR staff assistance

Department should employ stakeholder involvement in contacting people and should take advantage of their energy, knowledge and connections. The department should also provide someone to represent MDNR. At seminars and speaking opportunities, a certain amount of MDNR presence is needed to both present the department's viewpoint, answer more detailed questions from audiences, and to ensure that the information is accurate and up-to-date. Departmental staff presence may be needed on an average of 4-5 days/month for 4-6 months.

Timeline

Materials have been developed or will be developed as part of this plan. The kick-off event should be keyed to the completion of the Technical Guidance. At the time of the kick-off event, the Speaker's Bureau should be ready for implementation and seminars could already be in the works. All materials for use should be finalized before the kick-off event.

The MRBCA that is announced must have department support as it is now. It does not make sense to do a major rollout of program when details are still in question. If MDNR does change this guidance significantly, then it would be poor public relations to roll it out and then talk about how to change it. If we change it through rules process, then we would be better off waiting until after the rule is finalized. A major reason for the creation of the Technical Guidance and Rules is the need for predictability in process.

Next Step

At the January 12, 2006 meeting, we present this proposed plan to the Workgroup for its approval and assistance in implementation.